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18 Attorneys for Plaintiff  
19 MI-94, LLC, also known as  
20 METALAST INTERNATIONAL LLC

21 **UNITED STATES DISTRICT COURT**  
22 **DISTRICT OF NEVADA**

23 MI-94, LLC,

24 Plaintiff

25 vs.

26 CHEMETALL US, INC., et al.,

27 Defendants

Case No.: 2:23-cv-00647-CDS-DJA

**STIPULATION AND ORDER  
EXTENDING BREIFING  
SCHEDULE ON MOTIONS TO  
DISMISS**

**(FIRST REQUEST)**



COMES NOW, Plaintiff MI-94 (“MI-94” or “Plaintiff”), on the one hand, and Defendants Albemarle Corporation, Chemetall US, Inc., BASF Corporation, Qualichem Inc., Miles Chemical Company, John Schneider & Associates, Inc., Broco Products, Inc., Southern Industrial Chemicals, Inc., Dean Meiling, Madylon Meiling, DSM Partners, LLC, and Chemeon Surface Technology (collectively “Defendants”), on the other hand, by and through their respective attorneys of record, and hereby agree and stipulate as follows:

Defendants in this matter have filed two Motions to Dismiss raising a variety of issues. In order to allow Plaintiff time to brief these issues and to allow Defendants an equivalent time to Reply, the parties have stipulated to extend the due date for the Oppositions and Replies by two weeks and respectfully request that the Court order as such.

1. On August 7, 2023 Defendant Albemarle Corporation filed a Motion to Dismiss raising five separate issues.

2. On August 7, 2023 Defendants Chemetall US, Inc., BASF Corporation, Qualichem Inc., Miles Chemical Company, John Schneider & Associates, Inc., Broco Products, Inc., Southern Industrial Chemicals, Inc., Dean Meiling, Madylon Meiling, DSM Partners, LLC, and Chemeon Surface Technology filed a Motion to Dismiss raising nine separate issues. (Both motions to dismiss are hereafter referred to as the “Motions”).

3. Under LR 7-2(b), Plaintiff’s response to the Motions is due on August 21, 2023.

4. Under LR 7-2(b), the reply briefs to the Motions would be due on August 28, 2023.

In order to provide each party with additional time to brief these issues the parties have stipulated, and hereby respectfully request that this Court extend the briefing schedule by two weeks. Specifically, the parties stipulate that, if the Court agrees:

1. Plaintiff’s Oppositions to the Motions shall be filed on or before September 5, 2023.

2. Defendants’ Replies to these Oppositions shall be filed on or before September 26, 2023.

3. This is the first stipulation for extension of time to brief the Motions to Dismiss, which is made in good faith and not for the purposes of delay.

**IT IS SO STIPULATED.**

1 Dated: August 14, 2023

EARLY SULLIVAN WRIGHT  
GIZER & McRAE LLP

3 By: /s/ Jeremy Gray

JEREMY J.F. GRAY  
Attorneys for Plaintiff  
MI-94, LLC, as successor to  
METALAST INTERNATIONAL LLC

6 Dated: August 14, 2023

MCDONALD CARANO LLP

8 By: /s/ Adam Hosmer-Henner

ADAM HOSMER-HENNER  
JANE SUSSKIND  
Attorneys for Defendants Chemetall US, Inc.,  
BASF Corporation, Qualichem Inc.,  
Miles Chemical Company, John Schneider  
and Associates Inc., Broco Products, Inc.,  
Southern Industrial Chemicals, Inc., Dean  
Meiling, Madylon Meiling, DSM Partners,  
LLC, and Chemeon Surface Technology

13 Dated: August 14, 2023

PARSONS, BEHLE & LATIMER

15 By: /s/ Rew Goodenow

REW GOODENOW  
Attorneys for Defendant Albemarle Corporation

18 Dated: August 14, 2023

PHELPS DUNBAR LLP

20 By: /s/ R. Andrew Patty II

R. ANDREW PATTY II  
LINDSAY CALHOUN  
Attorneys for Defendant Albemarle Corporation

23 **IT IS ORDERED.**

25 By: 

HON. CRISTINA D. SILVA  
UNITED STATES DISTRICT JUDGE

27 DATED: August 15, 2023